

M. Jeffery Kallis, SBN 190028  
THE LAW FIRM OF ICALLIS & ASSOCIATES, P.C.  
333 W. San Carlos St., 8<sup>th</sup> Floor  
San Jose, CA 95110  
Telephone: (408) 971-4655  
Facsimile: (408) 971-4644  
M J Kallis@[Kallislaw.org](mailto:Kallislaw.org)  
Jeff\_Kallis@Kallislaw.com

Steven M. Berki, SBN 245426  
BUSTAMANTE, GAGLIASSO, P.C.  
333 W. San Carlos St., 8<sup>th</sup> Floor  
San Jose, California 95110  
Telephone: (408) 977-1911  
Facsimile: (408) 977-0746  
[SBerki@boglawyers.com](mailto:SBerki@boglawyers.com)

Attorneys for Plaintiffs  
MS. Mary Lou Gonzales

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

Mary Lou Gonzales; ]  
Plaintiffs, ]

VS. ]

CITY OF SAN JOSE, as a municipal ]  
corporation; prior SAN JOSE POLICE ]  
CHIEF CHRIS MOORE, individually and ]  
in his official capacity; SJPD DETECTIVE ]  
YVONNE DELACRUZ in her official ]  
and individual capacity; SJPD SGT ]  
MATHEW ARCHER in his official and ]  
individual capacity; SJPD Homicide ]  
Detective JAIME JIMENEZ in his ]  
individual and official capacity; SJPD ]  
Officers Ruben Sanchez (doe 1); ]  
Casey Higgins (doe 2); Stephen Fries ]  
(doe 3); Michael Pifferini (doe 4) in ]  
their individual and official capacities; ]  
SJPD Officers and Detectives and ]  
SJPD employees Doe 5-50 in their ]  
Individual and Official Capacities, ]

Defendants ]

CASE NUMBER # 4:13 CV 00695 PJH

STIPULATION AND ORDER TO ALLOW THE FILING OF  
A 2<sup>nd</sup> AMENDED COMPLAINT:

DEMAND FOR JURY TRIAL

Whereas, the names of 4 defendants (Officers Ruben Sanchez ,Casey Higgins Stephen Fries,; Michael Pifferini) were not known by plaintiff prior to submitting the 1<sup>st</sup> Amended Complaint, and were thus not included in the 1<sup>st</sup> Amended Complaint;

Whereas. The names of Doe1 through Doe 4[Officers Ruben Sanchez (doe 1); Casey Higgins (doe 2); Stephen Fries (doe 3); Michael Pifferini (doe 4) ] are now known to Plaintiff;

Whereas, judicial economy will be promoted by not having the plaintiff file a Motion For Leave To Amend;

Whereas, the parties will save significant resources by not having to file a Motion For Leave To Amend or the opposition and reply briefs;

It is hereby stipulated that the Defendant does not object to the Plaintiff filing a 2<sup>nd</sup> Amended Complaint;

And that the Defendant will accept service of summons and the 2<sup>nd</sup> Amended Complaint on behalf of Officers Casey Higgins, Stephen Fries, Rubin Sanchez who are now substituted for Does 1 through 3. The defendant will not accept service of summons and the 2<sup>nd</sup> Amended Complaint on behalf of Michael Pifferini who is now substituted as Doe 4.

May 29, 2013

The Law Firm of *KALLIS* & Associates p.c.

\_\_\_\_\_/s/\_\_\_\_\_  
M. Jeffery Kallis, Co-counsel for Plaintiff

May 29, 2013

Bustamante & Gagliasso PC

\_\_\_\_\_/s/\_\_\_\_\_  
Steven M. Berki, Co-counsel for Plaintiff

May 29, 2013

City Attorney's Office San Jose California

\_\_\_\_\_/s/\_\_\_\_\_  
Randolph Hom, Senior Deputy City Attorney

Good Cause showing the Court here so Orders that the Plaintiff be allowed to file a 2<sup>nd</sup> Amended Complaint.

Dated: 5/30/13

\_\_\_\_\_  
The Honorable P. District Court Judge

